

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

SHERRY LEE CRUZ,
 Petitioner,

v.

TAMMY BROWN,
 Respondent.

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Civil Action No. 7:16cv00318

ORDER

By: Norman K. Moon
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Cruz's 28 U.S.C. § 2254 petition is **DISMISSED without prejudice** and this action is **STRICKEN** from the active docket of the court.

Further, finding that Cruz has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send a copy of this order and accompanying memorandum opinion to the petitioner.

ENTER: This 13th day of July, 2016.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE